IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

FRIDAY, THE 21ST DAY OF AUGUST 2015/30TH SRAVANA, 1937

WP(C).No. 25602 of 2015 (A)

PETITIONER:

SUJA BIJU, D/O.MOHANAN, AGED 35,
KUNJATTUPURAYIL @
KUNJATTU PUTHENPURAKKAL HOUSE,
KOLKUNNU DESOM, VADAMA VILLAGE,
ASHTAMICHIRA, THRISSUR - 680 731.

BY ADVS.SMT.M.R.REENA
SRI.P.S.SUJETH

RESPONDENT(S):

1.THE BRANCH MANAGER,
IRINJALAKUDA TOWN CO-OPERATIVE
BANK LTD.NO.55, MALA BRANCH, MALA.P.O.,
THRISSUR DISTRICT.

2.THE GENERAL MANAGER/AUTHORIZED OFFICER,
IRINJALAKUDA TOWN CO-OPERATIVE
BANK LTD.NO.55, HEAD OFFICE, TANA SOUTH,
IRINJALAKUDA, PIN - 680 121.

BY SRI.DEVAPRASANTH.P.J.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 21-08-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

mbr/

WP(C).No. 25602 of 2015 (A)

APPENDIX

PETITIONERS' EXHIBITS:

EXT. P1 : **TRUE COPY OF THE POSSESSION NOTICE ISSUED TO THE PETITIONER DATED 1.8.2015.**

EXT. P2 : **THE TRUE COPY OF THE REPRESENTATION GIVEN BY THE PETITIONER DATED 5.8.2015.**

RESPONDENTS' EXHIBITS: NIL.

//TRUE COPY//

P.S. TO JUDGE

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A.MUHAMED MUSTAQUE, J.

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W.P.(C) No.25602 of 2015

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Dated this the 21st day of August, 2015

JUDGMENT

The petitioner, challenging SARFAESI proceedings, has approached this Court. The petitioner submits that she is prepared to clear the overdue amount and the Bank may be directed to regularise the account.

2. Learned counsel for the Bank opposes the prayer of the petitioner and submits that the total overdue amount is around Rs.3,51,000/-.

Considering the facts and circumstances, this writ petition is disposed of with the following directions:

i. The petitioner shall remit the overdue amount along with regular EMI in seven instalments from the month of September, 2015 onwards.

ii. If the petitioner clears the entire overdue amount, the Bank shall regularize the account.

iii. If the petitioner commits default in remitting anyone of the instalments, the Bank is free to proceed against the petitioner in accordance with law.

Sd/-

A.MUHAMED MUSTAQUE, JUDGE

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